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REMARKS

Claims 1-19 are pending in the present application. Claims 1, 9 and 11 have been amended herein. No new matter has been added. Applicant respectfully requests reconsideration of the claims in view of the following remarks.

Claims 1-10 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 of co-pending Application No. 09/996,197. The co-pending application has now issued as U.S. Patent No. 7,136,436 B2, which is cited in the concurrently filed IDS. As is clear from review of the patent, the issued claims do not resemble the claims from which the provisional rejection was made. Further, Applicant submits that the pending claims are not obvious over the issued claims. As a result, a terminal disclaimer is inappropriate at this time.

Claims 1-8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over admitted prior art Figures 1-6 in view of Radi (U.S. Patent No. 6,594,327, hereinafter "Radi"). Applicant respectfully traverses these rejections.

Claim 1 specifically recites "correlating a received digital sample value with a plurality of other received digital sample values to generate a corresponding plurality of correlation results." As noted in the previous amendment, the admitted prior art and Radi do not teach or suggest correlating a received digital sample value with a plurality of other received digital sample values.

In response to this argument, the Examiner has taken the position that "a received digital sample value" and "other received digital sample values" can be received from anywhere. To clarify this point, Applicant has amended claim 1 to be clear that "the received digital sample value and the plurality of other received digital sample values [are] from the stream of digital

sample values.” This language makes clear that bits received from frame set register 512 cannot read on the claim.

Therefore, it is respectfully submitted that claim 1 is allowable over the references of record.

Dependent claims 2-8 depend from claim 1 and add further limitations. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim and because of their further limitations.

Claim 9, which was not rejected in view of the prior art, has been rewritten in independent form. It is respectfully submitted that this claim, and claim 10, which depends therefrom, are allowable.

Claims 11 and 15-19 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over admitted prior art Figures 1-6 in view of Radi, and further in view of Okanoué et al. (U.S. Patent No. 6,738,439, hereinafter “Okanoué”). Claims 12-14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over admitted prior art Figures 1-6 in view of Radi, further in view of Okanoué and further in view of Lee (U.S. Patent Application Publication No. 2001/0005378 A1, hereinafter “Lee”). Applicant respectfully traverses these rejections.

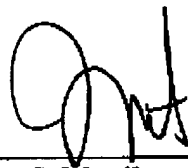
Claim 11 specifically recites “correlating a received digital sample value with a plurality of other received digital sample values to generate a corresponding plurality of correlation results.” This claim has also been amended to clarify that “the received digital sample value and the plurality of other received digital sample values [are] from the stream of digital sample values.” As was discussed for claim 1 herein above, neither the admitted prior art nor Radi teach or suggest correlating a received digital sample value with a plurality of other received digital

sample values. Further, Okanoue does not teach or suggest this limitation. Accordingly, Applicant respectfully submits that independent claim 11 is allowable over the prior art of record.

Dependent claims 12-19 depend from claim 11 and add further limitations. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim and because of their further limitations.

Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Ira S. Matsil, Applicant's attorney, at 972-732-1001 so that such issues may be resolved as expeditiously as possible. In the event that the enclosed fees are insufficient, please charge any additional fees required to keep this application pending, or credit any overpayment, to Deposit Account No. 20-0668.

Respectfully submitted,



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Date

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